



City of Fredericksburg

Planning and Zoning Meeting Agenda
Wednesday, April 3, 2024 ~ 5:30 PM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Janice Menking, Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Jeff Lawrence, Member
Cindy Scroggins, Member

Tom Musselman, Member
Polly Rickert, Member
Tim Dooley, Vice Chair
Steve Thomas, Member

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on April 3, 2024, at 5:30 PM. Link to City of Fredericksburg agenda webpage to watch video of the meeting <https://fredericksburgtx.portal.civicclerk.com/event/1006/files>.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on April 3, 2024.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to scollier@fbgtx.org

Verbal Comments:

1. Sign up in-person between 5:00 p.m. and 5:30 p.m. at the Law Enforcement Center, 1601E. Main Street, in order to comment.

You will be limited to 3 minutes to speak.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

A. March 6, 2024, Regular Meeting Minutes

B. February 20, 2024 Joint City Council and Planning and Zoning Meeting Minutes

4. PUBLIC HEARING

- A. Request #Z-2403: By Charles and Janet Chenoweth to Consider the Following:
1. Land Use Change from Low Density Residential (LDR) to Commercial (C) for Property Located at 105 West Creek Street
 2. Zoning Change from Single Family Residential (R1) to Neighborhood Commercial (C1) for Property Located at 105 West Creek Street.
- i Presentation by the Applicant
 - ii Staff Report
 - iii Hold a Public Hearing to Receive Comments For or Against the Request
 - iv Take Action on Land Use and Zoning Change Request

5. ACTION ITEMS

6. DISCUSSION ITEMS

- A. Comprehensive Plan Priorities

7. ADJOURN

CERTIFICATION

This is to certify that I, Shelby Collier, posted this Agenda before 5:00 PM on March 28, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelby Collier
Senior Planner

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**PLANNING & ZONING COMMISSION
March 6, 2024
5:30 P.M.**

On this the 6th day of March 2024, the PLANNING AND ZONING COMMISSION convened in Regular Session at the Law Enforcement Center located at 1601 E. Main Street with the following members present to constitute a quorum:

PRESENT:

JANICE MENKING
JIM JARREAU
JEFF LAWRENCE
TOM MUSSELMAN
TIM DOOLEY
STEVE THOMAS
DARYL WHITWORTH
CINDY SCROGGINS
POLLY RICKERT

ABSENT:

ALSO, PRESENT:

ANNA HUDSON - Director of Development Services
GARRET BONN – Assistant City Manager
EVAN WILLIAMSON – Staff Engineer
MICK MCKAMIE– City Attorney
SHELBY COLLIER – Senior Planner

Janice Menking called the meeting to order at 5:30 P.M.

PUBLIC COMMENTS

MINUTES

Tom Musselman made a motion to approve the February 2024 regular meeting minutes. Seconded by Polly Rickert. All voted in favor and the motion carried.

PUBLIC HEARING

Request #Z-2330; By Mathew Durette to Consider a Conditional Use Permit per Sec. 3.110 of the Zoning Ordinance, to Operate a STR-Facility in an R2 Zoned Area on Property Located at 106 East Nimitz Street.

I Presentation by the Applicant

II Staff Report

III Hold a Public Hearing to Receive Comments For or Against the Request

IV Take Action on the Conditional Use Permit

Matt Durette presented the application. He stated that it was his desire to obtain a Conditional Use Permit to operate the one bedroom, one bath unit at the rear of the property as a Short-Term Rental.

Shelby Collier, Senior Planner, stated that the applicant is requesting a Conditional Use Permit to operate a STR-Facility in an R2 zoned area located at 106 E Nimitz.

The applicant obtained a Zoning change from R1, Single Family Residential to R2, Mixed Residential in January of 2023. (Z-2232) The applicant has a STR-Unoccupied Permit on the main residence and is asking permission to obtain a conditional use permit to operate a STR-Facility which would allow them to obtain one additional STR permit for the second unit on the property. The applicant can request this as their application was submitted prior to the 2024 STR Ordinance and the application has been reviewed under the 2022 STR Ordinance.

The property is 27, 835 sq ft and has an existing STR unit that has three bedrooms and has an occupancy of eight. The one-bedroom unit is a garage apartment located at the rear of the property and if approved would have an occupancy of four.

The property provides four parking spaces onsite, as required. It abuts R2 and C1 zoned properties to the north, south and east. With the neighboring users being STR's, a vacant lot, nursing home and a residence.

Staff received no responses to the public hearing letters that were sent to property owners within two hundred feet.

As part of the review, Staff identified that the neighborhood is a mix of commercial, short-term rentals and residences. Staff does not believe that the additional STR unit will be detrimental to the neighboring properties and does not foresee an issue with the addition of a one-bedroom unit operating as a STR. Staff recommends approval for a one-bedroom STR unit that will result in a STR-Facility for the property.

Jim Jarreau made a motion to open the public hearing. Seconded by Daryl Whitworth. All voted in favor and the motion carried.

There were no citizens that wished to speak.

Daryl Whitworth made a motion to close the public hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Jim Jarreau asked if the applicant could return and request more STR units under the 2022 ordinance.

Mick Mckamie stated no.

Polly Rickert stated that the property has been for sale.

Matt Durette stated that the property had been pulled from the market.

Tim Dooley made a motion to recommend approval of Application Z-2330 per Staff recommendation and that future STR Units may not be added. Seconded by Tom Musselman. All voted in favor and the motion carried.

Request #Z-2402; By the City of Fredericksburg to Consider and Adopt the City of Fredericksburg 2024 Comprehensive Plan "Gute Stadt: Good City."

I Staff Report

II Hold a Public Hearing to Receive Comments For or Against the Request

III Take Action on the Comprehensive Plan

The City of Fredericksburg engaged Halff in the Fall of 2022 to create a new Comprehensive Plan. Staff and the consultants collaborated with an Advisory Committee and ten focus groups. We engaged with the community with three open houses, attended three community events and held three online surveys. Staff would like to thank everyone who has participated in the process, especially members of the Advisory Committee who attended seven meetings.

The 2024 Comprehensive Plan will replace the 2006 Comp Plan. It will not replace the 2015 Comp Plan updates that include the Entry Corridor Standards, Sidewalks Plan, and Gateway Plan. Comprehensive Plan Guiding Principles. The following thirteen guiding principles, categorized into seven themes, were developed because of community input, and are intended to guide the City's priorities and decision-making throughout the course of this Plan.

SMALL-TOWN SENSITIVE GROWTH

- Fredericksburg will implement land use patterns and related policies to support its unique community character and natural resources, improve residents' quality of life, and deliver incremental growth that optimizes its infrastructure and service capacity.

CITY CENTER

- Fredericksburg will preserve the historic charm of Main Street while cultivating a sense of place and expanding the City Center to better serve the residents.

WORKFORCE

- Fredericksburg will foster an environment for developing and retaining quality talent in targeted industries.
- Fredericksburg will maintain a resilient, diverse, and sustainable economy that supports both existing and new locally-owned businesses.

MOBILITY

- Fredericksburg will have a well-planned thoroughfare network that reduces vehicular congestion within the city.
- Fredericksburg will support safe, comfortable, and convenient transportation systems.

NEIGHBORHOOD QUALITY

- Fredericksburg will strengthen and enhance the livability of neighborhoods where families can live.
- Fredericksburg will encourage the creation and maintenance of quality, affordable housing for residents of all backgrounds and income levels.

TOURISM

- Fredericksburg will prioritize a unique, small-town character which promotes its heritage.
- Fredericksburg will attract visitors for its diverse retail, service, entertainment, and recreation options.

GOVERNANCE

- Fredericksburg will provide communication and engagement to create a healthy, safe, and informed community.
- Fredericksburg will invest efficiently in infrastructure to ensure a vibrant, livable, and economically robust community.

The Planning and Zoning Commission is established with authority to prepare and update the Comprehensive Plan for the orderly growth of the community, and to provide implementation of the Comprehensive Plan through zoning, subdivision control, and other related techniques. The Planning and Zoning Commission shall hold public hearing on request for land use considerations, except variances, and forward recommendations of action to the City Council. The City Council shall hold a public hearing and make a final determination concerning each such request.

Public Input:

The third joint meeting of the City Council and Planning & Zoning Commission was held on February 20, 2024. In response to feedback from the public and members of Council and P&Z, from citizens from public comment cards, email, phone calls, and survey results, adjustments have been made to the Future Place Type Map and Guiding Principles. Some of the changes to the Future Place Type Map reduced the amount of Mixed Density Residential and increased the amount of Neighborhood Residential and added roadway extensions.

Staff recommends a favorable recommendation from Planning & Zoning for the adoption of the new 2024 Comprehensive Plan based on the extensive work with the community, advisory committee, appointed board members, city staff, and elected officials.

Jim Jarreau made a motion to Open the Public Hearing. Seconded by Tom Musselman. All voted in favor and the motion carried.

Quinton Smith spoke in support of the plan and recommended a community center instead of a park.

Kirby Dempster had questions regarding a property shown on the future place type map and mistakenly believed that a tract on Mariposa was the Frieden development.

An unidentified speaker asked about mixed use along the west side of South Adams.

Rosemarry Estenson spoke in support of the plan and believes that a conditional use permit for alcohol-related businesses on Main Street is needed. She also does not believe a conference center is needed.

Arah Campbell had questions about roads shown on the future land use plan that were located in the ETJ.

Jim Jarreau made a motion to Close the Public Hearing. Seconded by Daryl Whitworth. All voted in favor and the motion carried.

Jim Jarreau asked if Staff would work on the implementation of the plan and if it would be on the agenda for the month of April. Anna Hudson replied yes, the implementation and priorities of the plan would return to the April Planning and Zoning meeting agenda.

Tom Musselman stated that many of the items on the 2006 Comprehensive Plan were addressed and he would like to see the same for the new Comprehensive Plan. He does not want the plan to sit on a shelf and not be used.

Jim Jarreau made a motion to recommend Approval of Z-2402. Seconded by Tom Musselman. All voted in favor and the motion carried.

Request #Z-2327; By Nick Skuteris with DC Partners to Consider an Amendment to the Planned Unit Development (PUD) for Property Located at 1149, 1293, 1389, 1413, and 1449 US Hwy 87 North, Formerly Referred to as the Seven Hills Development.

I Presentation by the Applicant

II Staff Report

III Hold a Public Hearing to Receive Comments For or Against the Request

IV Take Action on the PUD Amendment

Nick Skuteris with DC Partners presented the application. Nick gave a summary of the origin of the project (when the concept was first created and approved under Seven Hills), when DC Partners first responded to the project (when the City of Fredericksburg submitted an RFP for a Hotel/Conference Center) and the many iterations the project has gone through to get to the final concept of a 200 key hotel with 45 condominiums and 40,000 sq ft of retail/restaurant space. The Architect, Engineer and Contractor all spoke regarding their role in the project.

Anna Hudson, Director of Development Services, stated that the existing Planned Unit Development is in place and is the zoning for the property as created by Seven Hills. This project has gone through many iterations. Based on feedback from the Commission and City Staff, the applicant has removed the previously proposed 258 multi-family units, the three-story parking garage and has parked the development at a 1:1 ratio instead of the previously approved 34% parking reduction.

The project as presented is a simplified version of many earlier iterations and Staff appreciates the applicants' approach to a less dense design. The applicant has removed the 258 multi-family units and the 3-story parking garage. In addition, the applicant has lowered the height of the condominiums to two-stories and has added more green space around the historic Klingelhoefer home, preserving some of the view corridors. The General Development site plan shows placement of the buildings by type/use, parking, and green space providing for the concept of the development. A PUD ties the zoning to a site plan.

At this point, the developer is unable to designate exact amounts of retail, restaurant, other uses which could impact the total amount of parking needed. A detailed site plan is required once programming/uses have been defined. The property is also located within the Entry Corridor and will need to return with renderings to show how the Entry Corridor design standards are met. Staff does encourage the developer to pursue a more vertical mixed-use development and look for opportunities to bring the residential and commercial components together.

Additionally, based on several meetings with TxDOT and the current trip generation and turning movement counts identified in the Traffic Impact Analysis, in addition to the center turn lanes proposed at each driveway and Bob Moritz Drive, staff recommends right turn lanes be provided at each proposed driveway into the site to mitigate any impacts to through traffic. Additionally, it is recommended that representatives with TxDOT, Gillespie County, and the City continue to coordinate on future improvements that could be made to the intersection of US 290W and US 87N (the "Y").

City staff recommends approval conditioned upon the following:

Approval of a Final Plat Including Dedication of ROW and/or Roadway Easement to Allow for Future Intersection Improvements at the "Y"

Approval of Civil Construction Plans

Approval of Traffic Impact Analysis by TxDOT, Gillespie County, and City of Fredericksburg, including left and right turn bays at each driveway and a center turn bay for Bob Moritz Dr.

Approval of Conditional User Permits for final uses and locations along with Entry Corridor requirements and final Site Plan

Approval of Sign Package

Daryl Whitworth made a motion to Open the Public Hearing. Seconded by Jim Jarreau. All voted in favor and the motion carried.

Rosemarry Estenson spoke in protest of the project. She stated that the project does not fit the small town of Fredericksburg. She has concerns regarding a two-hundred-unit hotel, traffic, and water usage.

Mary Gallagher spoke in protest of the project. She does not feel that a conference center is needed and has concerns regarding traffic. She also wants to preserve the feel of small-town Fredericksburg.

Candace Klier – Spoke in support of the project. She stated that the City was not going to stop progress and feels that this is a good project that will bring good business to the west end of town. She stated she grew up on the property and feels that her father would have appreciated what DC Partners is trying to do.

Jim Jarreau made a motion to Close the Public Hearing. Seconded by Jeff Lawrence. All voted in favor and the motion carried.

Jim Jarreau stated that he believes the hotel is a good project and it will help eliminate short-term rentals in neighborhoods which will help with affordable housing and the City could use the weekly traffic. He went on to say that he was thoroughly impressed with DC Partners as they have been wonderful to work with and have addressed all the Commissions requests.

Jeff Lawrence asked DC Partners how much conference space they were planning to have. ACHO with DC Partners stated that the Hotel intends to have meeting space but does not plan to market itself as a conference center. He said that his team continues to work with the Fredericksburg CVB to ensure that they provide the right amount of space.

Daryl Whitworth asked if the developer had a designated number of breakout rooms and square footage. ACHO stated they did not. Daryl Whitworth stated that the community needs a conference center and stated that three breakout rooms were necessary.

Polly Rickert asked Brady Closson, President of the Fredericksburg Convention and Visitor Bureau, what his opinion was of the development. Brady stated that the CVB supports the project and believes that the meeting space could accommodate two hundred and fifty to three hundred people and would increase midweek business.

Polly Rickert stated that she believes this development would harm the west end of town with the two hundred hotel rooms and 40,000 sq ft of retail space. She does not believe that the whole project could be absorbed.

Tim Lehmberg, Economic Development Commission Executive Director, stated that he disagrees that the development will harm the west end. He believes that there are few businesses that survive on the west end because there is nothing to walk too and believes this development will pull people west. He went on to say that he is not scared of the ability to absorb 40,000 sq ft in retail space.

Polly Rickert stated that the City of Fredericksburg needs housing not a two hundred-room hotel and condominiums.

Nick Skuteris with DC Partners stated that the original site plan that DC Partners presented to the board included 258 multi-family units that they were requested to remove.

Polly Rickert clarified that DC Partners was told the project was too dense.

Tim Dooley said he was happy to see the historic service station included in the development, however, his concern is traffic. He disagrees with this project at this location.

Jim Jarreau said it was not the developer's responsibility to fix TxDot issues and that the developer continues to be willing to work with the City. He reminded Tim Dooley that the traffic is not going away.

Tim Dooley stated that while the traffic is not going away, it does not have to be made worse.

Jeff Lawrence asked how many employees the developer was anticipating. ACHO with DC Partners stated one hundred to one hundred and fifty.

Tim Dooley stated that Planning and Zoning function as a buffer to the City Council and they have an obligation to act in the best interest of the community and he does not feel that this project is for the betterment of the community.

Jim Jarreau made a motion to recommend approval of the Planned Unit Development Amendments with Staff recommendation. Seconded by Cindy Scroggins. Tim Dooley, Daryl Whitworth, Polly Rickert, Tom Musselman, Steve Thomas, and Jeff Lawrence voted in opposition. Cindy Scroggins, Janice Menking, and Jim Jarreau voted in favor. The motion failed.

DISCUSSION ITEMS

Directors Report

Anna Hudson, Director of Development Services, had no updates for the Commission.

Polly Rickert asked that the Sober House discussion be added to the agenda for the April Meeting.

ADJOURN

With nothing further to come before the Commission, Tom Musselman moved to adjourn. Seconded by Jeff Lawrence. All voted in favor and the meeting was adjourned at 7:50 p.m.

PASSED AND APPROVED this 6th day of March 2024.

SHELBY COLLIER, Senior Planner

JANICE MENKING, Chairperson

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG
TEXAS, 78624**

**JOINT CITY COUNCIL AND PLANNING &
ZONING COMMISSION MEETING
FEBRUARY 20, 2024
5:30 P.M.**

On this the 20th day of February 2024, the CITY COUNCIL AND PLANNING AND ZONING COMMISSION convened in Special Joint Session at the Hill Country University Center located at 2818 US 290 with the following members present to constitute a quorum:

CITY COUNCIL PRESENT:

JERYL HOOVER, MAYOR
BOBBY WATSON
RANDY BRILEY
EMILY KIRCHNER
TONY KLEIN

PLANNING AND ZONING PRESENT:

JANICE MENKING
TOM MUSSELMAN
DARYL WHITWORTH
POLLY RICKERT
JIM JARREAU

PLANNING AND ZONING ABSENT:

JEFF LAWRENCE
TIM DOOLEY
STEVE THOMAS
CINDY SCROGGINS

ALSO, PRESENT:

CLINTON BAILEY – City Manager
GARRET BONN – Assistant City Manager
MICK MCKAMIE– City Attorney
ANNA HUDSON - Director of Development Services
SHELBY COLLIER – Senior Planner

Mayor Jeryl Hoover called the City Council meeting to order at 5:30 PM

Janice Menking called the Planning and Zoning meeting to order at 5:30 P.M.

DISCUSSION AND POSSIBLE ACTION

Presentation and possible action on the 2024 Draft Comprehensive Plan and Parks Master Plan

Nathalie Booth with Halff gave a presentation on the 2024 Comprehensive Plan. She provided a summary of the public outreach and explained that the plan has been an 18-month process with the final draft having been released in January of 2024. The plan focuses on 7 Guiding Principles and include

Neighborhood Quality, Workforce, Tourism, City Center, Mobility, Small-Town Sensitive Growth, and Governance.

Neighborhood Quality states that Fredericksburg will strengthen and enhance the livability of neighborhoods where families can live and will encourage the creation and maintenance of quality, affordable housing for residents of all backgrounds and income levels.

Workforce focuses on fostering an environment for developing and retaining quality talent in targeted industries and will maintain a resilient, diverse and sustainable economy that supports both existing and new locally owned businesses.

Tourism has a goal of prioritizing a unique, small-town character which promotes its heritage and will attract visitors with its diverse retail, service, entertainment, and recreation options.

City Center states that Fredericksburg will preserve the historic charm of main street while cultivating a sense of place and expanding the City Center to better serve the residents. Creating a TIRZ district was discussed.

Mobility intends to have a well-planned thoroughfare network that reduces vehicular congestion within the City and will support safe, comfortable and convenient transportation systems.

Small-Town Sensitive Growth focuses on implementing land use patterns and related policies to support its unique community character and natural resources, improve residents' quality of life, and deliver incremental growth that optimizes its infrastructure and service capability.

Governance will provide communication and engagement to create a healthy, safe and informed community.

Economic elements were discussed such as creating a cultural and a TIRZ district.

While discussing implementation Nathalie stated that the next steps were to keep the plan in the conversations. This would help the plan keep momentum.

Jim Jarreau stated that he would like to see the plan reevaluated after 3 years.

Polly Rickert commented that she would like a follow up workshop with City Council after the plan was adopted.

Polly Rickert commented that the future place making map depicted several orange zones outside of the Historic District and she believes that they should be yellow/residential. Emily Kirchner agreed.

Patricia spoke regarding the need for native plants to be used in the parks and trails.

Steve McAnally had no comment.

Todd Edision had no comment.

Annette Bennett commented on the need for a better experience for the cultural arts district, MDDS,
Page 12 of 35

tree preservation, multiple uses in neighborhoods and the need for sustainable energy.

Nathlie Booth discussed the Parks Master Plan and stated that the overwhelming response to the public outreach indicated a desire to maintain the small-town feel with a desire to increase walkability. In review of the public outreach responses, it was determined that the community requested more trails so a trail opportunity zone map was created. In addition, there was a desire for more parks and a perspective park legend was created over the proposed future place type map.

Nathlie discussed the importance of funding and provided a prioritized CIP list that addressed the multiple park projects and their rating.

Tom Musselman stated that the City owned property on Friendship Lane needed to become a park.

George Studor questioned the proposed trails shown by the creek and stated that the plan is incomplete. He went on to recommend changes to the Cross Mtn trail.

Annette Bennett questioned whether trails would be used for bicycles.

City Council responded that there is an existing ordinance that prohibits bicycles on sidewalks.

ADJOURN

With nothing further to come before the Commission and City Council, Jim Jarreau moved to adjourn the Planning and Zoning Meeting. Seconded by Daryl Whitworth. Bobby Watson moved to adjourn the City Council Meeting. seconded by Tony Klein. All voted in favor and the meeting was adjourned at 7:15 p.m.

PASSED AND APPROVED this 3rd day of April 2024.

JANICE MENKING, P&Z Chairman

JERYL HOOVER, Mayor

SHELBY COLLIER, Senior Planner



PLANNING AND ZONING COMMISSION **AGENDA MEMO**

DEPARTMENT: Development Services

TO: Planning and Zoning Commission

FROM: Shelby Collier, Senior Planner

MEETING DATE: April 3, 2024

CATEGORY: PUBLIC HEARING

CAPTION: Request #Z-2403: By Charles and Janet Chenoweth to Consider the Following:

1. Land Use Change from Low Density Residential (LDR) to Commercial (C) for Property Located at 105 West Creek Street
 2. Zoning Change from Single Family Residential (R1) to Neighborhood Commercial (C1) for Property Located at 105 West Creek Street.
 - i Presentation by the Applicant
 - ii Staff Report
 - iii Hold a Public Hearing to Receive Comments For or Against the Request
 - iv Take Action on Land Use and Zoning Change Request
-

PRESENTATION:

SUMMARY:

The Applicant is requesting a Land Use change from Low Density Residential (LDR) to Commercial (C) and a Zoning change from Single Family Residential (R1) to Neighborhood Commercial (C1). The property currently operates as a second home for the applicant but historically operated as a Short-Term Rental until 2019. The property is in the historic district and has a high rating making demolition and redevelopment of the site difficult. The development pattern of the neighborhood has limited access to the rear of the property and it is not physically possible to add a driveway on either side of the structure to add parking behind the house.

BACKGROUND:

The Applicant first obtained an STR Permit in 2014 and operated as an STR until 2019. The property has been listed for sale since August 2023 with little to no activity. The property is located close to South Adams Street and Main Street.

This block of West Creek Street has both Commercial and Residential Zones. Across West Creek, to the north, is the Central Business District (CBD) and Neighborhood Commercial (C1). To the immediate east is Neighborhood Commercial (C1) and to the west and south is Single Family Residential (R1). With that said, the property to the west is an STR and 1 of the 2 properties to the south is an STR. The commercial uses within 200 ft include Hill and Vine and Creek Street Dental as well as 4 STR's.

Sec. 3.100 - R1, Single Family Residential

Intent: This zone is intended to provide for single family residential. Single family living may include a guest house or STR if the lot is 10,000 sq ft or larger.

Sec. 3.200 - Neighborhood Commercial

Intent: This zone is intended to provide for the establishment of restricted commercial facilities, to serve the conveniences and needs of the immediate neighborhood and include businesses such as medical services, multi-family residential, professional offices and STR-uses. Uses must be compatible with the residential character and environment of the neighborhood. These uses generally result in limited traffic generation.

Allowed uses in C1 include:

Administrative and Business Office
Convalescent Services
Cultural Services
Day Care Services
Group Residential
Local Utility Services
Medical Services
Multiple Family Residential
Personal Services
Private Primary Educational Services
Private Secondary Educational Facilities
Professional Office
Religious Assembly
Single Family Residential
Short-term Rental, Unoccupied
Short-term Rental, Accessory
Short-term Rental, B&B
Short-term Rental, Facility
Corporate Housing

Sec. 3.220 - Central Business District

Intent: This zone is intended to provide for the intense commercial activities of the Central Business District or central trading area of the City. This district establishes the character of the City by serving the tourists as well as the residents.

Comprehensive Plan

Future Place Type Map 2.5 - identifies this area as Mixed Density Residential, which allows for up to 20% commercial uses, such as personal services, and professional office uses. These areas may be designed in a more urban character in a walkable pedestrian environment. Buildings are intended to be street-oriented, with on-street parking or rear parking, pedestrian and bicycle facilities, short blocks with good street connectivity and nearby goods and services. Appropriate zoning districts would be R1, R2 and C1.

Public Notice Responses:

As of March 28, 2024, no letters in response to the public hearing have been received.

STAFF RECOMMENDATION:

Given the property's location across from CBD and C1 zoned properties as well as abutting C1 zoning to the east and the Comprehensive Plan's new Place Type of Mixed Residential recommending C1 as an appropriate zoning for this area, Staff recommends approval of the zoning and land use changes. The land use and zoning change would bring the west block of creek into alignment with existing uses along north creek and C1 provides an appropriate buffer to the remaining R1 properties to the west and south.

ATTACHMENTS:

1. photos and aerial map
2. Z-2403 Zoning Application
3. Z-2403 Public Hearing Map
4. Future Place Type map and definitions
5. Mixed Density Residential pages
6. Z-2403 Mailing Labels

APPROVAL/REVIEW:

_____	Date:
Shelby Collier, Senior Planner	
_____	Date:
William McKamie, City Attorney	
_____	Date:
Anna Hudson, Director of Development Services	



105 W Creek currently zoned R1

Requesting C1

103 and 101 W Creek have C1 zoning

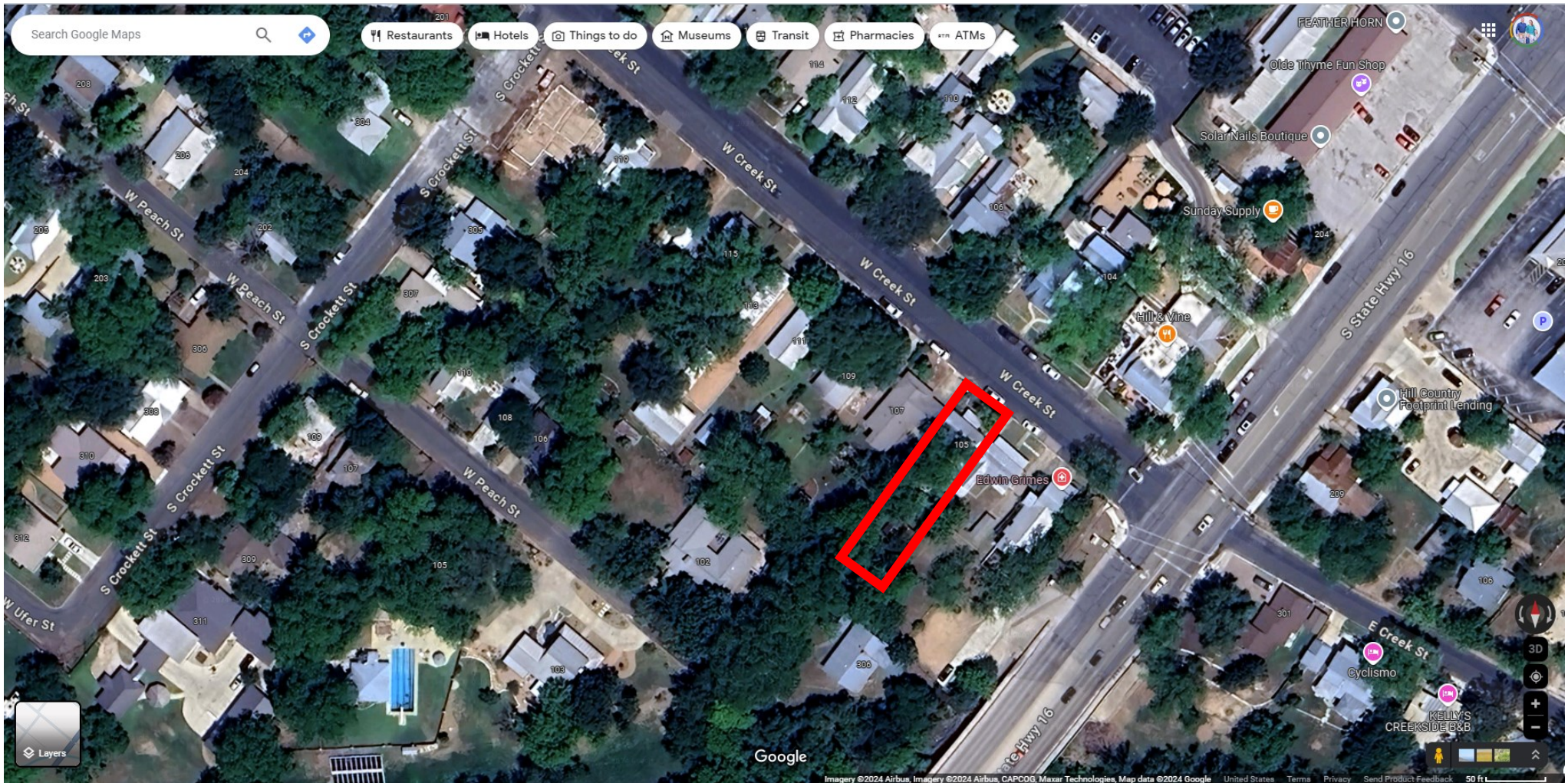
107 W Creek zoned R1 with STR Unoccupied Permit



View from Hwy 16 (S. Adams St)

Hill & Vine Restaurant (CBD Zoning)

103 and 101 W Creek have C1 zoning



105 W. Creek



Zoning Application

City of Fredericksburg – Development Services Department

126 W. Main St, Fredericksburg, TX 78624

A. Project Information

Project Name: Abend Haus

Project Address: 105 W Creek Fredericksburg, TX 78624

Property Tax ID Numbers: 29196

B. Application Type: Appendix A – Fee Schedule

- ☐ Voluntary Annexation - \$750.00
- ☐ Conditional Use Permit - \$500.00
- ☒ Land Use Change - \$300.00
- ☒ Zoning Change - \$600.00
- ☐ Amendment to existing PUD - \$500.00
- ☐ Creation of PUD - \$750.00

❖ All applications will be charged the following fees for the required Public Hearing notifications.

- ☒ Public Hearing Newspaper - \$150.00
- ☒ Public Hearing 200 ft notification letter - \$100.00

~~850~~
\$1150

C. Applicant/Owner Information

Property Owner

Owner Name: Charles Dan and Janet Chenoweth

Owner Address: 6918 Buffkin Ln Houston, TX 77069

Owner Phone Number: 713-907-9330 Owner Email Address: danc@4csgroup.com

Applicant

Applicant Name: same as owner

Applicant Address:

Applicant Phone Number:

Applicant Email Address:

Applicant's Signature

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify, if I am not the owner, that I have authorization from the owner to act on his/her behalf.

Signature: _____

Printed Name: C. Dan Chenoweth

Staff Use Only

Application Number: Z-2403

Date: 03/01/24

APRIL 3, 2024 P&Z Meeting
APRIL 16, 2024 City Council
\$1150 - CK#



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

A. Project Information (Please complete all items.)

Project Name: Abend Haus
Project Address: 105 W. Creek Fredericksburg, TX 78624
Tax ID Number (s): N/A

Application Type (Check all items that apply.)

- | | | |
|---|--|---|
| ☐ Conditional Use Permit | ☐ Minor Plat* | ☐ Site Plan |
| ☐ Land Use Plan Change | ☐ Replat* | ☐ Entry Corridor Design |
| ☒ Zoning Change | ☐ Amending Plat* | ☐ Civil Construction Plans |
| ☐ Annexation* | ☐ Preliminary Plat* | |
| | ☐ Final Plat* | |

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 0.201 No. of Lots: 1

Original Survey & Abstract No:

Legal Description: PT of Lot 434, Block 31, Fredericksburg Addition
Current Land Use Plan: Residence and Previous B&B Proposed Land Use Plan: Property for Sale
Current Zoning: R1 Proposed Zoning: C1

Location: 105 W. Creek Fredericksburg, TX 78624
Proposed Use(s):

Applicant's Signature

Applicant's Role: ☒ Owner ☐ Developer ☐ Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: Charles Dan Chenoweth Janet H. Chenoweth
Printed Name: Charles Dan & Janet H. Chenoweth Date: March 1, 2024

Staff Use Only

Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

B. Contact Information (Please complete all items.)

I. Property Owners

Firm Name (if applicable):

Owner Name: Charles Dan and Janet H. Chenpwoth

Address:

Phone: (713) 907-9330 Fax:

Email: dane@4csgroup.com
janetc@4csgroup.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: ☐ Agent ☐ Engineer ☐ Surveyor ☐ Other (note role):

Firm Name (if applicable):

Address:

Primary Contact Name:

Phone:

Fax:

Email:

Secondary Contact Name:

Phone:

Fax:

Email:

C. Fee Schedule (Please attach appropriate fee to application.)

- ☐ Conditional Use Permit Application - \$400
- ☐ Site Plan Application Admin - \$300
- ☐ Site Plan Application P&Z - \$400
- ☐ Entry Corridor Design - \$100
- ☐ Application for Zoning Change - \$400
- ☐ Application for Land Use Change - \$300
- ☐ Minor Plat - \$300
- ☐ Replat - \$300 plus \$20 per lot
- ☐ Amending Plat - \$200
- ☐ Preliminary Plat - \$400 plus \$20 per lot
- ☐ Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 plus \$10.00 per lot.

NOTE:
 1) BASIS OF BEARING WAS ESTABLISHED FROM THE NORTHWEST LINE
 OF THE BELOW REFERENCED 480 SQUARE FOOT TRACT.
 2) A FIELDNOTE DESCRIPTION OF THE ABOVE SHOWN TRACT WAS PREPARED.
 PLAT SHOWING: A 0.201 ACRE TRACT OF LAND
 OUT OF TOWNLOT NO. 434, AS SAID TOWNLOT

REFERENCES:
 VOLUME 33 PAGE 562-563 D.R.
 VOLUME 33 PAGE 561 D.R.
 ADDRESS:
 105 WEST CREEK STREET



WILLIAM E. BOHNER
 0.64 ACRES
 VOLUME 118, PAGES 640-641
 DEED RECORDS

- LEGEND
- WATER METER
 - GAS METER
 - POWER POLE
 - WIRE FENCE
 - CHAINLINK FENCE
 - OHE - OVERHEAD ELECTRIC
 - OHT - OVERHEAD TELEPHONE
 - CATV - OVERHEAD CABLE TV
 - POB - POINT OF BEGINNING

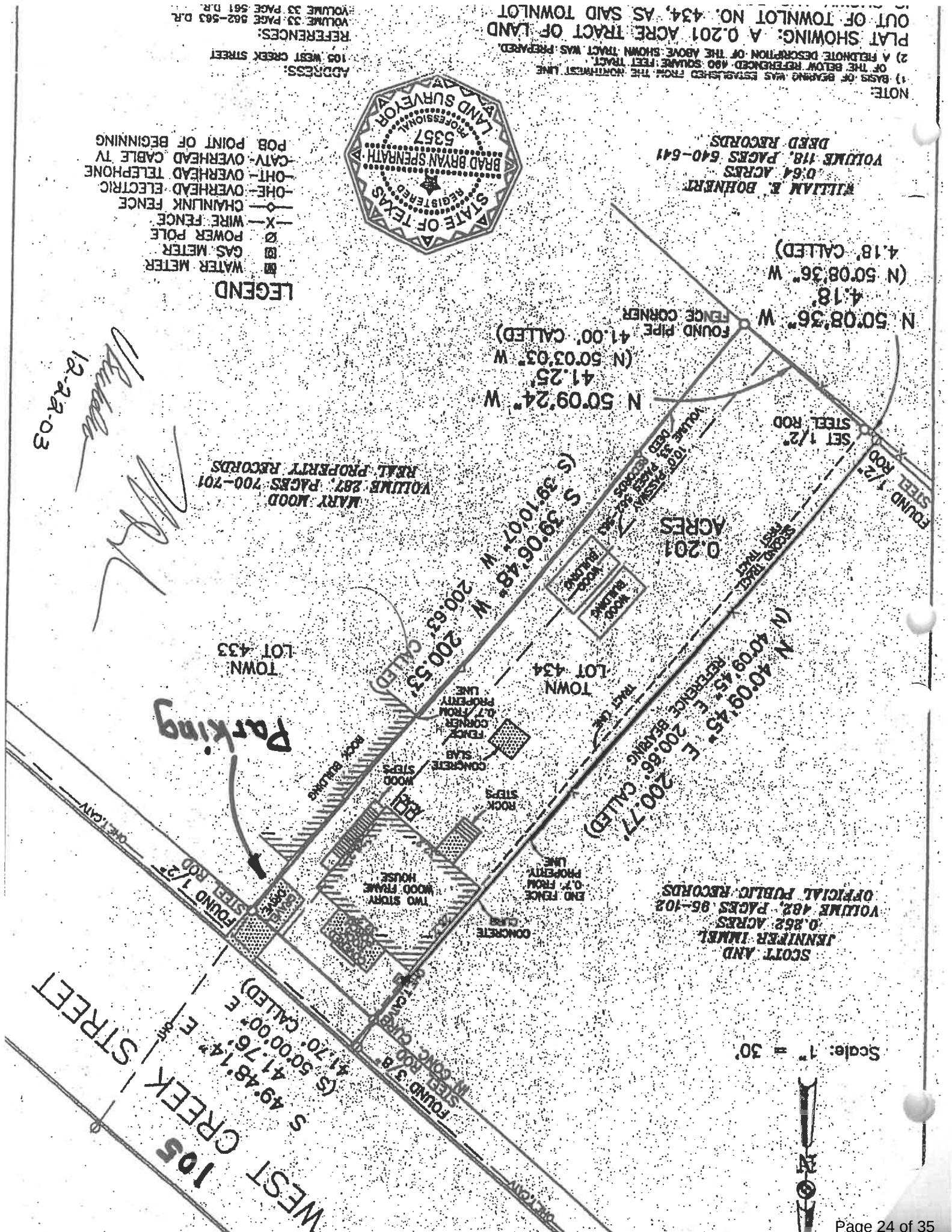
Handwritten:
 12-22-03
 [Signature]

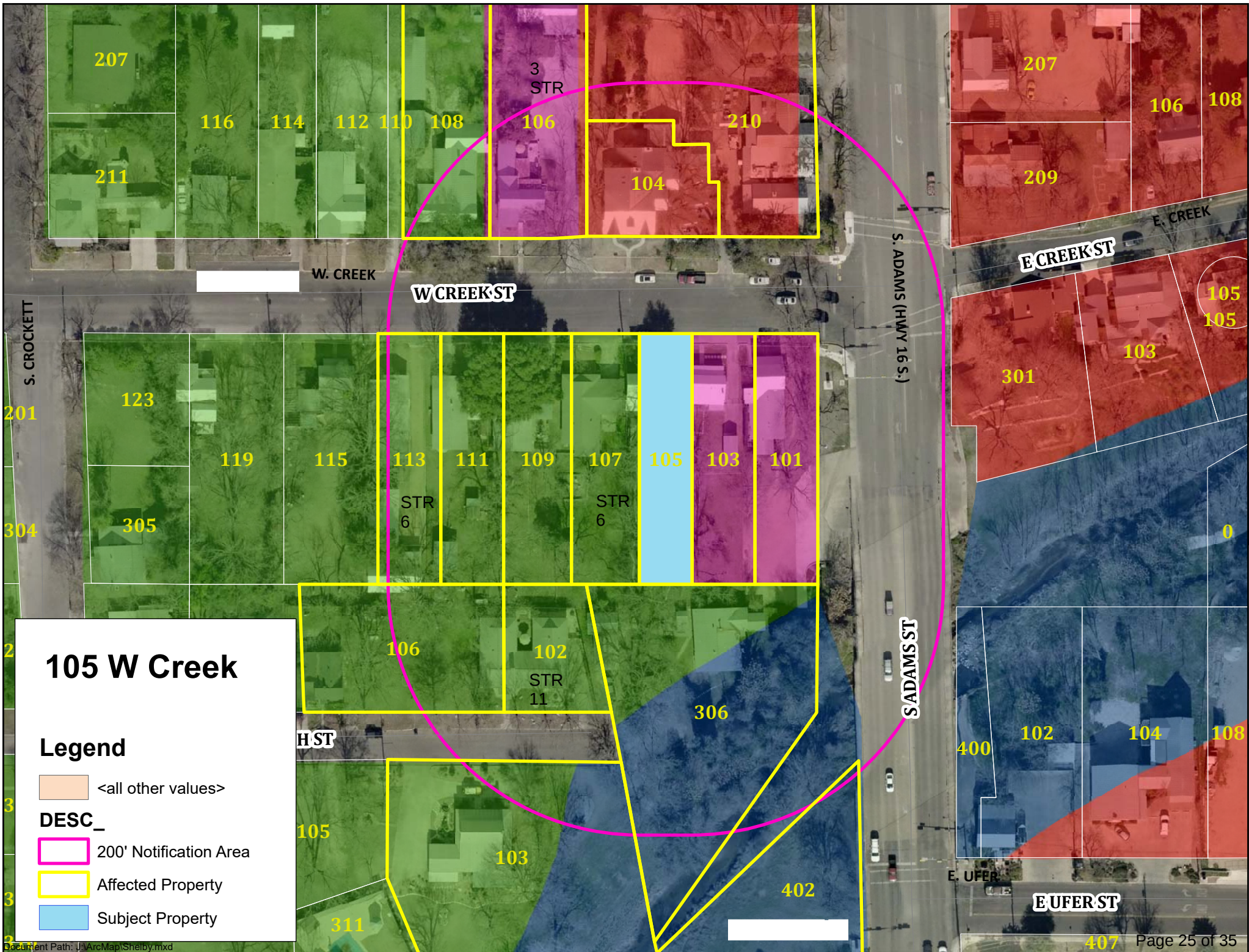
MARY WOOD
 VOLUME 287, PAGES 700-701
 REAL PROPERTY RECORDS

0.201
 ACRES

SCOTT AND
 JENNIFER JAMES
 0.262 ACRES
 VOLUME 182, PAGES 96-102
 OFFICIAL PUBLIC RECORDS

Scale: 1" = 30'





FUTURE PLACE TYPES

The future place types are an important component of the vision, focusing on how land uses are distributed across the planning area. **Map 2.4: Future Place Type Map** graphically depicts the preferred building patterns in both the city limits and the ETJ and is a strategic tool for consideration of development and capital infrastructure. Building consensus in a plan requires acknowledging today's built environment while also recognizing that the future will bring changes to the way citizens live and function. The process of creating this Plan was careful to balance the vision for desired growth, market realities, public infrastructure and services, and consideration of what is present today.

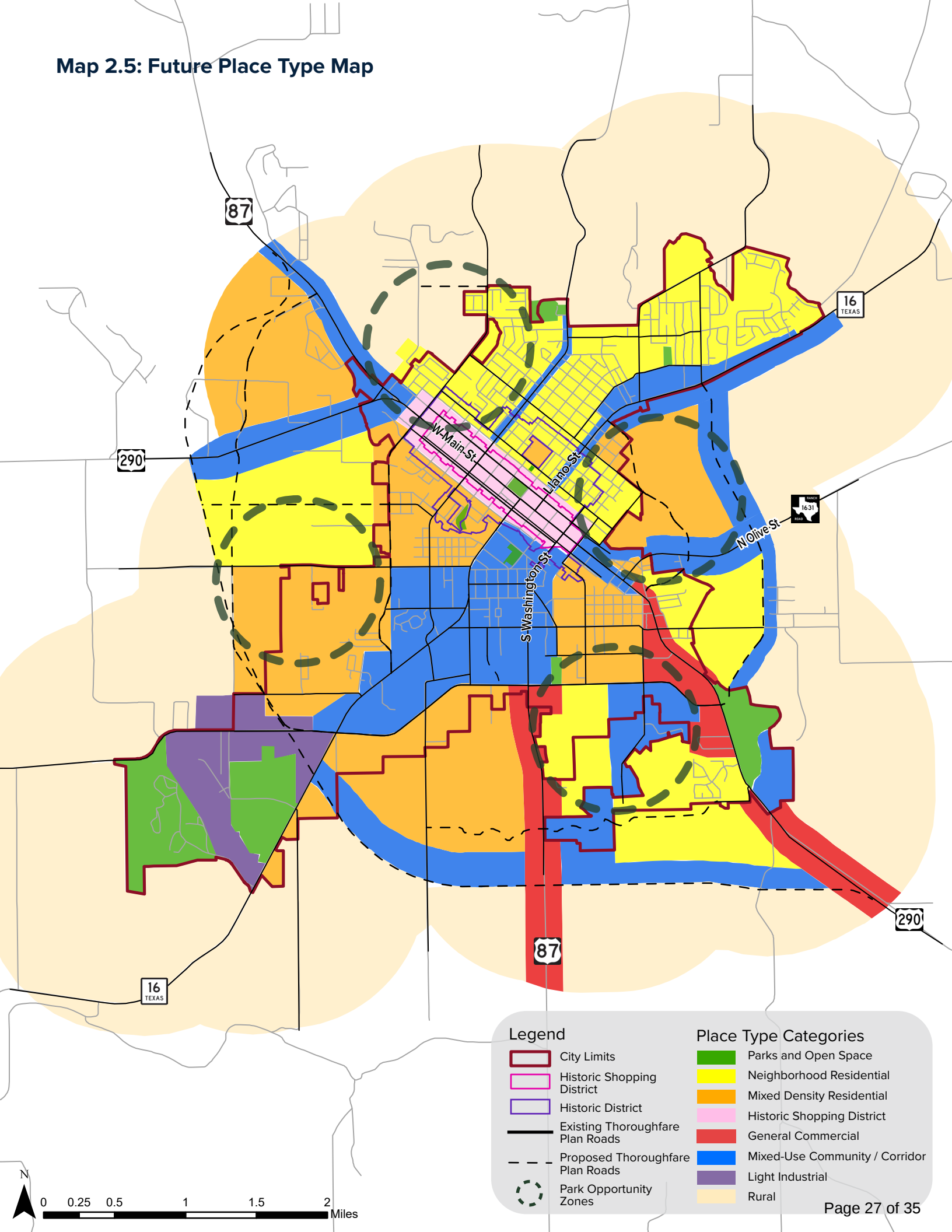
This planning framework is built on a philosophy that focuses on building form, site character, and land use, while being sensitive to the location of growth areas. The Plan reflects the community's desire for more commercial and retail land use, more housing and varied housing types, and "complete" neighborhoods which promote walkability. Complete neighborhoods are places with integrated green space, neighborhood serving commercial spaces, and an integrated mobility system with pedestrian focus and convenient access to services and institutions. Most importantly, complete neighborhoods provide housing opportunity for different ages, family size, price point, and income level.



A variety of land uses are present in the area adjacent to Old Fair Park near downtown Fredericksburg.



Map 2.5: Future Place Type Map



USAGE AND INTERPRETATION

The future place types are intended to be used as a planning tool, and as such, are subject to modification over time based upon new or changing information and circumstances. The map component will be used regularly to evaluate zoning requests; however, by State law, a future land use plan or future place type map does not have the same force of law as a zoning map. Therefore, when considering plan amendments or zoning requests, interpretation is critical.

The place type categories are not tied directly to specific land parcels but are representative of general areas consistent with plan goals. The place types are arranged on the map to generally represent the balance of land uses desired by the community. While these areas often follow parcel lines or streets, decisions for the practical application of place types are made using more nuanced contextual considerations regarding site specificity, compatibility, timing, and other factors.

Since the place type designations are not tied directly to specific land parcels, it is essential to consider the existing conditions of the area. If a major street or natural feature bisects a place type area, it may be beneficial to analyze the area based on these natural or man-made boundaries. Staff and decision-makers should review all development proposals for plan consistency. Land use characteristics allowed in zoning districts should be aligned with the intent and character of the place types described in the following pages.

DEVELOPMENT INTENSITY TARGETS

Each category has suggested percentages of residential and commercial uses. These percentages are included as an informative tool to describe the character and intent of the place type and they should not be viewed as a strict regulation. The percentages of residential and commercial land use should be used to determine appropriateness of a zoning proposal and evaluate the mix of uses. The percentage breakdown should be applied across larger geographic areas rather than by parcel, common ownership, or proposed zoning area. While an individual development proposal could include a single land use and the overall place type mix would still be maintained, it is best practice to encourage some amount of the targeted mix. A single land use may also be appropriate when a parcel is too small to accommodate a mix of uses.

Timing is also an important element in land use consideration. The first parcels to develop in a large area of a mixed-use category might be considered foundational in the context of market demand. In such a scenario, it might be acceptable to include more residential land use than the recommended percentage, but the City should hesitate to reduce the recommended percentage for commercial use without careful consideration.

Each proposal should be analyzed to understand the land use impacts in the area. Ultimately, these metrics will be used with discretion and consideration of context to best implement the intent of each place type.



PLACE TYPE CATEGORY DESCRIPTIONS

The following pages include defining attributes and decision-making guidance for each place type. The information presents the intent of each of place type and is intended as a helpful guide when considering future development proposals.

The descriptions and representative imagery guide decision-making regarding land development appropriateness, character, and compatibility. The goal is to ensure that a proposed development pattern will complement or align with existing land uses, proximate land uses, and general character of an area (i.e., building design, site layout, scale).

For most place type categories, a mix of uses is desired to provide a balance and supportive synergy. Each category includes a target range of land use mix percentages as a guide to help promote the desired character and intent. These are guiding quantitative elements more than regulatory burdens. Ultimately, discretion and context should be used to determine how the recommend targets are applied to best achieve the intent of these land uses.

Each place type category page contains the following components:

Attributes	Definitions
Intent & Character	A general description of the desired type and form of development.
Appropriate Land Use Types	Guidance for the primary, and in many cases, secondary uses that may be appropriate in certain areas.
Guidance and Interpretation	Recommendations for decision-making in regards to zoning proposals, location and site considerations, and interpretation.
Representative Imagery	Photo or graphic examples representative of each place type. These are intended to help provide a visual guide to the types of uses, structures, and scale that would be appropriate.
Development Code Considerations	Guidance as to which established zoning district(s) may be most appropriate to implement the intent of the future land use category. Not intended to be an exhaustive list or a final list of zoning districts but a snapshot of existing compatible districts at time of plan adoption. This section also includes recommended considerations in a review or revision to the Development Code, which may be warranted to fully achieve the envisioned character of each category.



Mixed Density Residential

INTENT AND CHARACTER

The Mixed Density Residential category is envisioned to provide a greater level of residential density in a variety of forms. This category best accommodates residences built to meet the “missing middle” segment of the marketplace. This may include townhomes, attached dwellings, patio homes, apartments in the appropriate context, or a mix of several of these in a planned setting. Missing middle housing bridges the gap between single-family homes and mid-rise apartments. By integrating these housing types, communities can enhance affordability, create walkable neighborhoods, and modestly boost density.

In some instances, these areas may be designed in a more urban character in a walkable pedestrian environment. Buildings are intended to be street-oriented, with on-street parking or rear parking, pedestrian and bicycle facilities, short blocks with good street connectivity, and nearby goods and services.

Within the Historic District special care and review is required. The intent of this place type is not to change the character but allow for infill to create more housing where appropriate. This place type is found in both greenfield and infill situations, with seamless transition to nearby conventional residential neighborhoods.

APPROPRIATE LAND USE TYPES

Commercial

- In limited circumstances, commercial retail, office, restaurant (no drive-thru), and personal service uses may be considered if supporting the residential intent of the category.

Residential

- Single-family detached; single-family attached uses; cottage court/garden homes; townhouses (up to six attached units); low-rise multi-family (2 to 2.5 stories); garden-style apartments; and some contextual mixed-use urban lofts in places with more urban character.
- Within the Historic District, maintaining context with the existing character, single-family detached; single-family attached uses; duplex; triplex; townhouses (up to four attached units); single-family small lot; and some contextual mixed-use urban lofts in places with more urban character.

Industrial

- Not appropriate

Institutional

- Places of public assembly; utility and service use (e.g., electrical substations, fire stations, etc.).

Green Spaces

- Parks and recreation facilities; natural areas; open spaces; trail corridors; water quality features

Development Intensity Target

Residential	80 - 100%
Commercial	0 - 20%



GUIDANCE AND INTERPRETATION

The following recommendations should be considered for decision-making for zoning requests, development approvals, and regulatory adjustments:

- New development shall be built with a more urban or semi-urban character, including larger sidewalks and street trees.
- This land use can be a good transitional use from lower density residential to higher density or nonresidential uses, including near downtown.
- Connectivity to adjacent developments through trails and sidewalks is critical to maintaining access for transportation and recreation.
- Vehicle access through rear alleys and side or rear parking is desired instead of a front-loaded product.
- Social gathering spaces should be prioritized, including either public parks, passive open space or active private spaces within a development.
- Regional stormwater retention facilities and infrastructure should be utilized to create greenways and pedestrian/bicycle paths.
- Infill and development within the Historic District is subject to the Historic Preservation Ordinance and review by the Historic Review Board.

DEVELOPMENT CODE CONSIDERATIONS

Appropriate Existing Zoning Districts:

- R1-A, R2, R3, R5, NC

Implementation - Development Code Review:

- Review building height and setbacks for consistency
- Review buffers and screening to ensure compatibility (urban scale)
- Ensure street and pedestrian connectivity requirements to maintain connected street patterns
- Require sidewalks along all streets for development applications regardless of the Sidewalk and Trails Plan.
- Connectivity and efficient infrastructure requirements to add value
- Establish standards and requirements for alley facing garages, driveway requirements related to frontage on public streets versus alleys, garage door facing locations, and ensure front doors face the public street
- Maintain high standard of review from the Historic Review Board for development in the Historic District

REPRESENTATIVE IMAGERY



S

SHAWNEEWOOD RANCH LTD
108 W CREEK
FREDERICKSBURG, TX 78624

KO HOLDINGS LLC
3038 CHAMPION CIR
SAN ANGELO, TX 76904

SARAH BARTER
104 W CREEK ST
FREDERICKSBURG, TX 78624

TEXAS FOOD & WINE HUNTER LLC
315 W COLLEGE
FREDERICKSBURG, TX 78624

JF ROOTS LLC
1207 RUNNING BUCK LN
FREDERICKSBURG, TX 78624

MARY MOOD
701 TIMBER CREEK CV
ROUND ROCK, TX 78665

BETTY HOWARD
337 E MAIN
FREDERICKSBURG, TX 78624

TESSA WELCH
109 W CREEK
FREDERICKSBURG, TX 78624

ARTHUR & DONNA WUNDERLICH
111 W CREEK
FREDERICKSBURG, TX 78624

CONFIDENTIAL
1626 DEL NORTE
HOUSTON, TX 77018

JOHN & LYNEE ROBINSON
487 COORNROD-GRONA
FREDERICKSBURG, TX 78624

DOUBLE W DEVELOPMENTS LLC
8312 UPLAND AVE
LUBBOCK, TX 79424

WILLIAM BOHNERT
306 S ADAMS
FREDERICKSBURG, TX 78624

JAMES & KAREN KEMP
311 S CROCKETT
FREDERICKSBURG, TX 78624

KENNETH & JODIE KELLER
P.O. BOX 2985
FREDERICKSBURG, TX 78624

Z-2403

Plan Implementation

It is through action, decision-making, coordination, and monitoring that the Plan comes to fruition. The importance of planning cannot be overstated—planning provides for the protection of private property and ensures future development occurs in a coordinated and organized fashion. The future of Fredericksburg will be shaped using policies and recommendations developed in this Plan. City representatives, city staff, and dedicated citizens must be “Champions” of the plan to ensure the recommendations are properly implemented. The roles of City Council, city Staff, and the P&Z Commission, described on the following page, are crucial to effective implementation of the Plan.

DEVELOPMENT PROCESS

This Plan’s directives will often require interpretation, adaptability, and flexibility. These circumstances should be thoughtfully approached and evaluated based on compliance and implementation with the Plan vision, goals, commitments, and initiatives in Part 3, Implementation. As it pertains to the Future Place Type Map and Thoroughfare Plan, staff and decision-makers will make daily determinations regarding the Plan’s intent and applicability.

During the development process, staff and decision makers will consider agreements, planned developments, rezonings, etc. These are critical decision points to ensure planning goals are achieved, the public is informed, and processes are clear. City staff should analyze applications for compliance with the goals and commitments provided in **Part 2, Future Direction**. This process should include evaluating an application by demonstrating general compliance with the comprehensive plan and reference to individual guiding principles, objectives, and actions.

PLAN TO CODE RELATIONSHIP

Implementation of this Plan includes translating its actions to the City’s Development Code. While the Comprehensive Plan creates the vision for community desires, the Code enables the City to enforce that vision. Once this Plan is adopted, the City should utilize the assessment of the current zoning and subdivision regulations to determine what is needed to meet the vision of the new Comprehensive Plan. With this information defined, the City can update the existing Code to align with the vision of the Comprehensive Plan. Additionally, as this Plan is updated over time, the Code should be updated accordingly, to reflect changing conditions.

SPECIAL AREA AND MASTER PLANS

The Fredericksburg Comprehensive Plan covers a wide variety of topics which have the potential to affect the City’s existing and future plans. Some of these exist or are ongoing planning exercises, such as the Transportation Master Plan, the Convention and Visitor Bureau’s Strategic Plan, and the Parks Master Plan. Others are anticipated in the future, such as a plan for the City Center or Trails Master Plan.

As implementation actions are initiated, the City should ensure this Plan is in alignment with existing citywide service plans and special area plans. Additionally, when other City plans are updated, those plans should align with the goals and actions defined in the Comprehensive Plan.



ROLES AND RESPONSIBILITIES

City Council, City staff, and the Planning and Zoning Commission should assess all decision-making and recommendations for consistency with the Comprehensive Plan as outlined below.

City Council

- Adopting amendments to the Plan by ordinance
- Adopting new or amended land development regulations to implement the Plan
- Approving inter-local agreements
- Establishing the overall action priorities and timeframes for initiation and completion
- Considering and approving funding commitments
- Approving projects, activities and budgets in a manner consistent with this Plan
- Providing policy direction to the Planning & Zoning Commission, other boards, and City staff

City Staff

- Managing day-to-day implementation of the Plan, including ongoing coordination
- Supporting and carrying out capital improvement planning efforts
- Managing drafting of new or amended land development regulations
- Conducting studies and developing additional plans
- Reviewing development, zoning, and other land use applications for consistency with this Plan

Planning and Zoning (P&Z) Commission

- Making recommendations related to development and redevelopment
- Ensuring that development is consistent with the vision, guiding principles, objectives, actions, and policies of this Plan
- Preparing a periodic progress report with the help of City staff to review goals to evaluate consistency with the plan's vision



MONITORING AND BENCHMARKING

The City will monitor Plan implementation activities and corresponding effects on the environment, prosperity, and livability. Monitoring activities will not only record implementation accomplishments and measures of success but will also reveal opportunities to modify and amend the Plan to address changing conditions or community preferences.

Realizing the vision involves actively and deliberately working toward the action steps in the implementation table. The **Implementation Action Plan**, found in **Appendix A**, identifies the City departments responsible for achieving each recommended action.

As part of the ongoing implementation process, benchmarking and monitoring should take place regularly. Annual reports should include a status update, important actions and accomplishments, and identification of actions and programs to be implemented in the coming year. The Comprehensive Plan report should be presented at a work session and regular session of the City Council.

PLAN INTEGRATION

As this Plan is put into action, funding and annual programming of implementation projects is critical. Components include annual budgets, capital improvement program (CIP), departmental business plans, and ongoing alignment of these elements to achieve effective outcomes.

ANNUAL BUDGETING

A primary funding mechanism is the City's annual budget, made up of various revenue sources. The City must have adequate funds to complete implementation actions. Each budget action taken by City Council should be consistent with the goals of the City's comprehensive plan, strategic plan, and other relevant master plans.

CAPITAL IMPROVEMENT PROGRAM

A capital improvement program is a multi-year plan (typically annual, 5-year, and 10-year) that identifies upcoming capital projects for prioritization and funding. Projects include street infrastructure; water, wastewater and drainage facilities; open space, trails and recreation facilities; and purchase of major equipment. Identifying and budgeting for major capital improvements is essential to successful implementation of this Plan. Capital improvement priorities should be consistent with the policy and management directives of this Plan.

PLAN UPDATE

As the community evolves, the Plan must be revisited to ensure the community's vision is current. It may also need to adjust to account for local, State, and national regulatory changes over time. Therefore, it is recommended that this Plan be revisited regularly and updated at a minimum of every five and ten years.

